

The House Committee on Natural Resources and Environment offers the following substitute to HB 320:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia  
2 Annotated, relating to general provisions relative to solid waste management, so as to require  
3 the recycling of solar panels; to prohibit the discarding or disposing of solar panels by any  
4 manner other than by delivery to a legitimate recycling facility that accepts solar panels for  
5 recycling; to provide for definitions; to provide for penalties; to provide for related matters;  
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,  
10 relating to general provisions relative to solid waste management, is amended by adding a  
11 new Code section to read as follows:

12 "12-8-28.1.

13 (a) As used in this Code section, the term:

14 (1) 'Legitimate recycling facility' means a recovered materials processing facility or any  
15 other recycling center or disposal facility that accepts solar panels for recycling so as to  
16 return a significant portion of the materials recovered from such solar panels to

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17 commerce as a commodity for use in a beneficial and safe manner and that does not,  
18 through its recycling process, adversely impact public health or safety or the  
19 environment.

20 (2) 'Solar panel' means any device that contains a bank of solar cells or other solar energy  
21 collection system that when exposed to solar radiation can generate electricity.

22 (3) 'Solar power facility' shall have the same meaning as set forth in Code  
23 Section 46-3-67.

24 (b) No owner or operator of a solar power facility shall discard or dispose of or cause to  
25 be discarded or disposed of a solar panel by placing it in a landfill, by placing it with other  
26 municipal solid waste or commercial solid waste that is or will be delivered to a landfill,  
27 or by any other manner except by delivery to a legitimate recycling facility.

28 (c) Any owner or operator of a solar power facility who violates subsection (b) of this  
29 Code section shall be subject to a civil penalty not to exceed \$20.00 for each offense. For  
30 the purposes of this Code section, each solar panel that is discarded or disposed of in  
31 violation of subsection (b) of this Code section shall constitute a separate offense. The  
32 civil penalty provided for in this subsection shall be recoverable in a civil action brought  
33 in any court of competent jurisdiction by the Attorney General or any district attorney."

34 **SECTION 2.**

35 All laws and parts of laws in conflict with this Act are repealed.